

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

EMMANUEL CORNET, JUSTINE DE
CAIRES, GRAE KINDEL, ALEXIS
CAMACHO, JESSICA PAN, EMILY
KIM, MIGUEL BARRETO, and BRETT
MENZIES FOLKINS, on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

TWITTER, INC.

Defendant.

C.A. No. 23-cv-441

**PLAINTIFFS' NOTICE OF ADDITIONAL
SUPPLEMENTAL AUTHORITY**

Plaintiffs submit this Notice of Supplemental Authority in order to apprise the Court of a number of additional arbitration awards (attached here as Exhibits 1-7) obtained by Plaintiffs' counsel that further support denial of Twitter's Motion to Dismiss this matter. These awards concern employees who were admittedly notified of their layoffs on November 4, 2022, as well as employees who contend they were laid off when they did not click "yes" in response to Elon Musk's "Fork in the Road" email – like Plaintiff Folkins.

In its motion to dismiss, Twitter has argued that no reasonable factfinder could find that Plaintiffs are entitled to the severance pay they seek. These decisions (rendered following full evidentiary hearings and extensive briefing and argument) further undermine Twitter's argument and support Plaintiffs' claims.

Plaintiffs' counsel are nearing having completed 100 arbitrations raising the same claims against Twitter that are in this lawsuit, and arbitrators in 27 cases to date have issued rulings addressing the arguments that Plaintiffs raise here that Twitter promised severance pay under its prior severance policy, should employees lose their jobs following Elon Musk's acquisition of Twitter, but then did not pay that promised severance pay. As addressed at the argument on Twitter's motion to dismiss, the awards in all of these cases support Plaintiffs' claims here and weigh against the Court granting Twitter's motion to dismiss. Twitter's argument that no reasonable factfinder could find in Plaintiffs' favor on the claims in this case is clearly incorrect.

Dated: March 21, 2025

Respectfully submitted,

EMMANUEL CORNET, JUSTINE DE
CAIRES, GRAE KINDEL, ALEXIS
CAMACHO, JESSICA PAN, EMILY KIM,
MIGUEL BARRETO, and BRETT
MENZIES FOLKINS, on behalf of
themselves and all others similarly situated,

By their attorneys,

/s/ Kate Butler

Kate Butler, Bar I.D. No. 6017
Kate Butler Law LLC
1509 Gilpin Ave, Suite No. 3
Wilmington, DE 19806
Phone: (302) 966-9994
Email: kate@katebutlerlaw.com

Shannon Liss-Riordan (*pro hac vice*)
Bradley Manewith (*pro hac vice*)
Thomas Fowler (*pro hac vice*)
LICHTEN & LISS-RIORDAN, P.C.
729 Boylston Street, Suite 2000
Boston, MA 02116
(617) 994-5800
Email: sliss@llrlaw.com
bmanewith@llrlaw.com
tfowler@llrlaw.com

CERTIFICATE OF SERVICE

I, Kate Butler, hereby certify that a true and accurate copy of the redacted version of this document was served on all counsel of record for Defendant via filing on the Court's CM/ECF system and that Plaintiffs have served the sealed version of this document on Defendant's counsel via email on March 21, 2025.

/s/ Kate Butler
Kate Butler